

APPEAL

**U.S. District Court [LIVE]
Western District of Texas (Austin)
CIVIL DOCKET FOR CASE #: 1:16-cv-00233-LY**

Freedom From Religion Foundation, Inc. v. Abbott et al
Assigned to: Judge Lee Yeakel
Demand: \$0

Case in other court: USCA/5th Circuit, 18-50610
USCA/5th Circuit, 18-50615
USCA 5th Circuit, 21-50469
17-50956, USCA Fifth Circuit

Cause: 28:2201 Declaratory Judgment

Plaintiff

**Freedom From Religion Foundation,
Inc.**

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V.

Defendant

Governor Greg Abbott
*Chairman of the State Preservation
Board*

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Defendant

John Sneed
*Executive Director of the Texas State
Preservation Board*
TERMINATED: 04/28/2017

represented by **Angela V. Colmenero**
(See above for address)
TERMINATED: 04/28/2017
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Anne Marie Mackin
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TERMINATED: 04/28/2017
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Defendant

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Date Filed	#	Docket Text
06/16/2021	<u>137</u>	BRIEF regarding <u>135</u> Opposed MOTION for Extension of Time to File <i>OBJECTIONS TO BILL OF COSTS AND MOTION FOR ATTORNEYS FEES</i> by Freedom From Religion Foundation, Inc.. (Bolton, Rich) (Entered: 06/16/2021)
06/14/2021	<u>136</u>	USCA Appeal Fees received \$ 505 receipt number 100040056 re Notice of Appeal, filed by Rod Welsh, Greg Abbott (jv2) (Entered: 06/14/2021)
06/09/2021	<u>135</u>	Opposed MOTION for Extension of Time to File <i>OBJECTIONS TO BILL OF COSTS AND MOTION FOR ATTORNEYS FEES</i> by Greg Abbott, Rod Welsh. (Attachments: # <u>1</u> Proposed Order)(Walton, Benjamin) (Entered: 06/09/2021)
06/08/2021	<u>134</u>	TRANSCRIPT REQUEST by Greg Abbott, Rod Welsh for dates of n/a. Proceedings Transcribed: n/a. Court Reporter: n/a.. (Walton, Benjamin) (Entered: 06/08/2021)
06/01/2021	<u>133</u>	ORDER GRANTING Defendants' Unopposed <u>132</u> Motion for Extension of Time to File Objections to Bill of Costs. Signed by Judge Lee Yeakel. (jv2) (Entered: 06/01/2021)
05/28/2021	<u>132</u>	Unopposed MOTION for Extension of Time to File <i>Objections to Bill of Costs</i> by Greg Abbott, Rod Welsh. (Attachments: # <u>1</u> Proposed Order)(Walton, Benjamin) (Entered: 05/28/2021)
05/27/2021		NOTICE OF APPEAL following <u>131</u> Notice of Appeal (E-Filed) by Greg Abbott, Rod Welsh. FILING FEE PAID. Per 5th Circuit rules, the appellant has 14 days, from the filing of the Notice of Appeal, to order the transcript. To order a transcript, the appellant should fill out a (Transcript Order) and follow the instructions set out on the form. This form is available in the Clerk's Office or by clicking the hyperlink above. (jv2) Modified on 6/14/2021 (jv2). (Entered: 05/28/2021)
05/27/2021	<u>131</u>	Appeal of Final Judgment <u>126</u> , <u>127</u> by Greg Abbott, Rod Welsh. No filing fee submitted (Walton, Benjamin) (Entered: 05/27/2021)
05/18/2021	<u>130</u>	ORDER GRANTING Plaintiff's Unopposed <u>128</u> Motion for Extension of Time to File Motion for Fees and Expenses, now due 06/18/2021. Signed by Judge Lee Yeakel. (jv2) (Entered: 05/18/2021)
05/18/2021	<u>129</u>	BILL OF COSTS by Freedom From Religion Foundation, Inc.. (Bolton, Rich) (Entered: 05/18/2021)
05/17/2021	<u>128</u>	Unopposed MOTION for Extension of Time to File <i>Fee Petition</i> by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Bolton, Rich) (Entered: 05/17/2021)
05/05/2021	<u>127</u>	FINAL JUDGMENT. Signed by Judge Lee Yeakel. (jv2) (Entered: 05/05/2021)
05/05/2021	<u>126</u>	MEMORANDUM AND ORDER AFTER REMAND. Signed by Judge Lee Yeakel. (jv2) Modified on 5/28/2021 (jv2). (Entered: 05/05/2021)
03/26/2021	<u>125</u>	BRIEF regarding <u>123</u> Order by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3)(Grover, Samuel) (Entered: 03/26/2021)
03/26/2021	<u>124</u>	BRIEF regarding <u>123</u> Order by Greg Abbott, Rod Welsh. (Walton, Benjamin) (Entered: 03/26/2021)

03/09/2021	<u>123</u>	ORDER that the parties file supplemental briefs on or before March 26, 2021. Signed by Judge Lee Yeakel. (jv2) (Entered: 03/09/2021)
11/30/2020	<u>122</u>	ORDER GRANTING <u>121</u> Anne Marie Mackin's Motion to Withdraw as Attorney. Signed by Judge Lee Yeakel. (jv2) (Entered: 11/30/2020)
11/25/2020	<u>121</u>	Unopposed MOTION to Withdraw as Attorney <i>Anne Mackin</i> by Greg Abbott, Rod Welsh. (Attachments: # <u>1</u> Proposed Order)(Mackin, Anne) (Entered: 11/25/2020)
09/18/2020	<u>120</u>	Minute Entry for proceedings held before Judge Lee Yeakel: Telephone Conference held on 9/18/2020. Written order forthcoming. (Minute entry documents are not available electronically.) (Court Reporter Arlinda Rodriguez.)(lt) (Entered: 09/18/2020)
09/11/2020	<u>119</u>	ORDER SETTING Telephone Conference for 9/18/2020 at 01:00 PM before Judge Lee Yeakel. Signed by Judge Lee Yeakel. (jv2) (Entered: 09/11/2020)
08/27/2020	<u>118</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Lee Yeakel for all proceedings. Judge Sam Sparks no longer assigned to case. Signed by Judge Sam Sparks. (klw) (Entered: 08/27/2020)
07/22/2020	<u>117</u>	SUPPLEMENT <i>Declaration of Richard L. Bolton</i> to <u>116</u> Brief by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Exhibit A to Declaration of Richard L. Bolton, # <u>2</u> Exhibit B to Declaration of Richard L. Bolton, # <u>3</u> Exhibit C to Declaration of Richard L. Bolton, # <u>4</u> Exhibit D to Declaration of Richard L. Bolton)(Bolton, Rich) Modified on 7/23/2020 (lt). (Entered: 07/22/2020)
07/22/2020	<u>116</u>	BRIEF regarding <u>111</u> Brief by Freedom From Religion Foundation, Inc.. (Bolton, Rich) (Entered: 07/22/2020)
07/22/2020	<u>115</u>	BRIEF regarding <u>110</u> Brief by Greg Abbott, Rod Welsh. (Walton, Benjamin) (Entered: 07/22/2020)
07/16/2020	<u>114</u>	ORDER GRANTING the Parties' <u>112</u> Joint Motion for Extension of Time to File Response briefs. Signed by Judge Sam Sparks. (lt) (Entered: 07/16/2020)
07/15/2020	<u>113</u>	ATTACHMENT <i>Proposed Order</i> to <u>112</u> Unopposed MOTION for Extension of Time to File Response/Reply <i>and Proposed Order</i> by Freedom From Religion Foundation, Inc.. (Bolton, Rich) (Entered: 07/15/2020)
07/15/2020	<u>112</u>	Unopposed MOTION for Extension of Time to File Response/Reply <i>and Proposed Order</i> by Freedom From Religion Foundation, Inc.. (Bolton, Rich) (Entered: 07/15/2020)
07/09/2020	<u>111</u>	BRIEF by Greg Abbott, Rod Welsh. (Attachments: # <u>1</u> Exhibit Attachment 1, # <u>2</u> Exhibit Attachment 2, # <u>3</u> Proposed Order Attachment 3)(Mackin, Anne) (Entered: 07/09/2020)
07/09/2020	<u>110</u>	BRIEF by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Exhibit A – Proposed Final Judgment)(Bolton, Rich) (Entered: 07/09/2020)
07/02/2020	<u>109</u>	ORDER GRANTING the Parties' <u>106</u> Joint Unopposed Motion to Extend Time. Signed by Judge Sam Sparks. (lt) (Entered: 07/02/2020)
07/01/2020	<u>108</u>	ATTACHMENT <i>Proposed Order</i> to <u>106</u> Joint MOTION to Extend Scheduling Order Deadlines by Freedom From Religion Foundation, Inc.. (Bolton, Rich) (Entered: 07/01/2020)
07/01/2020	<u>107</u>	DEFICIENCY NOTICE: re <u>106</u> Joint MOTION to Extend Scheduling Order Deadlines (lt) (Entered: 07/01/2020)
07/01/2020	<u>106</u>	Joint MOTION to Extend Scheduling Order Deadlines by Freedom From Religion Foundation, Inc.. (Bolton, Rich) (Entered: 07/01/2020)
06/16/2020	<u>105</u>	ORDER that the parties shall have twenty (20) days in which to submit briefing on the two issues remanded to this Court by the Fifth Circuit. FURTHER ORDER that the parties shall have ten (10) days in which to file a response to their opponents' respective briefing. Signed by Judge Sam Sparks. (lt) (Entered: 06/16/2020)

06/03/2020	<u>104</u>	NOTICE of Attorney Appearance by Anne Marie Mackin on behalf of Greg Abbott, Rod Welsh (Mackin, Anne) (Entered: 06/03/2020)
06/01/2020	<u>103</u>	Certified copy of USCA JUDGMENT issued as the MANDATE vacating and reversing the judgment of the District Court and remanding to the District Court for further proceedings in accordance with the opinion of the Court. (lt) (Entered: 06/01/2020)
10/31/2018	<u>102</u>	ORDER GRANTING <u>101</u> Motion to Withdraw as Attorney for Anne Marie Mackin. Signed by Judge Sam Sparks. (dl) (Entered: 10/31/2018)
10/24/2018	<u>101</u>	Unopposed MOTION to Withdraw as Attorney by Greg Abbott, Rod Welsh. (Attachments: # <u>1</u> Proposed Order)(Mackin, Anne) (Entered: 10/24/2018)
10/24/2018	<u>100</u>	NOTICE of Attorney Appearance by Benjamin S. Walton on behalf of Greg Abbott, Rod Welsh. Attorney Benjamin S. Walton added to party Greg Abbott(pty:dft), Attorney Benjamin S. Walton added to party Rod Welsh(pty:dft) (Walton, Benjamin) (Entered: 10/24/2018)
08/14/2018	<u>99</u>	USCA Appeal Fees received \$ 505 receipt number 100033785 re Notice of Appeal, filed by Freedom From Religion Foundation, Inc. (dl) (Entered: 08/16/2018)
08/13/2018	<u>98</u>	ORDER DISMISSING <u>88</u> Motion for Attorney Fees WITHOUT PREJUDICE TO REFILE AFTER THE APPEALS PROCESS HAS CONCLUDED. Signed by Judge Sam Sparks. (dl) (Entered: 08/14/2018)
08/01/2018	<u>97</u>	Transcript filed of Proceedings held on April 6, 2018, Proceedings Transcribed: Status Conference. Court Reporter/Transcriber: Lily I. Reznik, Telephone number: 512-391-8792 or Lily_Reznik@txwd.uscourts.gov. Parties are notified of their duty to review the transcript to ensure compliance with the FRCP 5.2(a)/FRCrP 49.1(a). A copy may be purchased from the court reporter or viewed at the clerk's office public terminal. If redaction is necessary, a Notice of Redaction Request must be filed within 21 days. If no such Notice is filed, the transcript will be made available via PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed Redaction Request due 8/22/2018, Redacted Transcript Deadline set for 9/3/2018, Release of Transcript Restriction set for 10/30/2018, Appeal Record due by 8/16/2018, (Reznik, Lily) (Entered: 08/01/2018)
07/31/2018	<u>96</u>	TRANSCRIPT REQUEST by Greg Abbott, Rod Welsh for dates of 6/20/2016, 6/6/2017, 4/6/2018. Proceedings Transcribed: Motion to Dismiss, Motion to Quash, Status Conference. Court Reporter: Lily Reznik.. (Mackin, Anne) (Entered: 07/31/2018)
07/26/2018		NOTICE OF CROSS APPEAL by Freedom From Religion Foundation, Inc. – NO FILING FEE SUBMITTED. Per 5th Circuit rules, the appellant has 14 days, from the filing of the Notice of Appeal, to order the transcript. To order a transcript, the appellant should fill out <u>Form DKT-13</u> (Transcript Order) and follow the instructions set out on the form. This form is available in the Clerk's Office or by clicking the hyperlink above. (dl) (Entered: 07/26/2018)
07/26/2018	<u>95</u>	ORDER GRANTING <u>93</u> Motion to Stay Rule 54(D) Deadlines. Signed by Judge Sam Sparks. (dl) (Entered: 07/26/2018)
07/26/2018	<u>94</u>	Cross Appeal of Final Judgment <u>84</u> , <u>38</u> by Freedom From Religion Foundation, Inc.. No filing fee submitted (Bolton, Rich) (Entered: 07/26/2018)
07/24/2018	<u>93</u>	Joint MOTION to Stay <i>Rule 54(D) Deadlines</i> by Greg Abbott, Rod Welsh. (Attachments: # <u>1</u> Proposed Order)(Mackin, Anne) (Entered: 07/24/2018)
07/13/2018		NOTICE OF APPEAL following <u>92</u> Notice of Appeal (E-Filed) by Greg Abbott, Rod Welsh. Filing fee \$ 505, receipt number 0542-11008752. Per 5th Circuit rules, the appellant has 14 days, from the filing of the Notice of Appeal, to order the transcript. To order a transcript, the appellant should fill out <u>Form DKT-13</u> (Transcript Order) and follow the instructions set out on the form. This form is available in the Clerk's Office or by clicking the hyperlink above. (dl) (Entered: 07/25/2018)
07/13/2018	<u>92</u>	Appeal of Final Judgment <u>87</u> by Greg Abbott, Rod Welsh. (Filing fee \$ 505 receipt number 0542-11008752) (Mackin, Anne) (Entered: 07/13/2018)

07/06/2018	<u>91</u>	ORDER GRANTING <u>90</u> Motion for Extension of Time to File Response, due on or before 7/28/2018. Signed by Judge Sam Sparks. (td) (Entered: 07/06/2018)
07/03/2018	<u>90</u>	Unopposed MOTION for Extension of Time to File <i>Response to Fee Motion</i> by Greg Abbott, Rod Welsh. (Attachments: # <u>1</u> Proposed Order)(Mackin, Anne) (Entered: 07/03/2018)
07/03/2018	<u>89</u>	BILL OF COSTS by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Exhibit Itemization of Fees and Expenses for Bill of Costs)(Bolton, Rich) (Entered: 07/03/2018)
07/03/2018	<u>88</u>	Opposed MOTION for Attorney Fees by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Proposed Order Proposed Order)(Byrne, Daniel) (Entered: 07/03/2018)
06/19/2018	<u>87</u>	FINAL JUDGMENT. Signed by Judge Sam Sparks. (td) (Entered: 06/20/2018)
05/14/2018	<u>86</u>	ORDER DISMISSING with prejudice Plaintiff's Establishment Clause claim against Governor Abbott and Executive Director Welsh in their official capacities, and Plaintiff's freedom of speech claim against Governor Abbott in his individual capacity. Signed by Judge Sam Sparks. (lt) (Entered: 05/15/2018)
05/11/2018	<u>85</u>	STIPULATION of Dismissal by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Proposed Order Proposed Order)(Bolton, Rich) (Entered: 05/11/2018)
04/09/2018	<u>84</u>	ORDER DENYING FFRF's <u>78</u> Motion for Entry of Judgment. Signed by Judge Sam Sparks. (klw) (Entered: 04/10/2018)
04/06/2018	<u>83</u>	Minute Entry for proceedings held before Judge Sam Sparks: Status Conference held on 4/6/2018. Written Order to follow. (Minute entry documents are not available electronically.). (Court Reporter Lily Reznik.)(klw) (Entered: 04/06/2018)
03/27/2018	<u>82</u>	ORDER setting Telephone Conference for 4/6/2018 11:00 AM before Judge Sam Sparks. Signed by Judge Sam Sparks. (klw) (Entered: 03/27/2018)
03/21/2018	<u>81</u>	REPLY to Response to Motion, filed by Freedom From Religion Foundation, Inc., re <u>78</u> MOTION <i>for Entry of Judgment</i> filed by Plaintiff Freedom From Religion Foundation, Inc. (Bolton, Rich) (Entered: 03/21/2018)
03/14/2018	<u>80</u>	Certified copy of USCA JUDGMENT/MANDATE regarding <u>75</u> Notice of Appeal (E-Filed) filed by Greg Abbott. Under FED. R. APP. P. 42(b), the appeal is dismissed as of March 14, 2018, pursuant to the joint motion of the parties (dl) (Entered: 03/15/2018)
03/14/2018	<u>79</u>	RESPONSE to Motion, filed by Greg Abbott, Rod Welsh, re <u>78</u> MOTION <i>for Entry of Judgment</i> filed by Plaintiff Freedom From Religion Foundation, Inc. (Mackin, Anne) (Entered: 03/14/2018)
03/02/2018	<u>78</u>	MOTION <i>for Entry of Judgment</i> by Freedom From Religion Foundation, Inc.. (Bolton, Rich) (Entered: 03/02/2018)
12/12/2017		Certification of the Electronic Record on Appeal has been accepted by the 5th Circuit re Notice of Appeal – Interlocutory. Attorneys are advised that they may now download the EROA from the Fifth Circuit CM/ECF site by following these instructions here (klw) (There are no physical exhibits related to this appeal.) (Entered: 12/12/2017)
11/30/2017	<u>77</u>	Transcript filed of Proceedings held on June 20, 2016, Proceedings Transcribed: Motion Hearing. Court Reporter/Transcriber: Lily I. Reznik, Telephone number: 512-391-8792 or Lily_Reznik@txwd.uscourts.gov. Parties are notified of their duty to review the transcript to ensure compliance with the FRCP 5.2(a)/FRCrP 49.1(a). A copy may be purchased from the court reporter or viewed at the clerk's office public terminal. If redaction is necessary, a Notice of Redaction Request must be filed within 21 days. If no such Notice is filed, the transcript will be made available via PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed Redaction Request due 12/21/2017, Redacted Transcript Deadline set for 1/2/2018, Release of Transcript Restriction set for 2/28/2018, Appeal Record due by 12/15/2017, (Reznik, Lily) (Main Document 77

		replaced on 11/30/2017) (klw). Modified on 11/30/2017 per court reporter (klw). (Entered: 11/30/2017)
11/03/2017	<u>76</u>	NOTICE – <i>Transcript Order Form</i> by Greg Abbott (Mackin, Anne) (Entered: 11/03/2017)
10/24/2017		NOTICE OF INTERLOCUTORY APPEAL as to <u>74</u> Order on Motion for Protective Order,, Order on Motion for Judgment on the Pleadings, Order on Motion for Summary Judgment by Greg Abbott. Filing fee \$ 505, receipt number 0542–10107823. Per 5th Circuit rules, the appellant has 14 days, from the filing of the Notice of Appeal, to order the transcript. To order a transcript, the appellant should fill out <u>Form DKT–13</u> (Transcript Order) and follow the instructions set out on the form. This form is available in the Clerk's Office or by clicking the hyperlink above. (klw) (Entered: 10/24/2017)
10/24/2017	<u>75</u>	Appeal of Order entered by District Judge <u>74</u> by Greg Abbott. (Filing fee \$ 505 receipt number 0542–10107823) (Mackin, Anne) (Entered: 10/24/2017)
10/13/2017	<u>74</u>	ORDER GRANTING <u>41</u> Motion for Protective Order; GRANTING IN PART AND DENYING IN PART <u>49</u> Motion for Judgment on the Pleadings; GRANTING <u>65</u> Motion for Summary Judgment; GRANTING IN PART AND DENYING IN PART <u>66</u> Motion for Summary Judgment. Signed by Judge Sam Sparks. (ml) (Entered: 10/13/2017)
08/18/2017	<u>73</u>	REPLY to Response to Motion, filed by Greg Abbott, Rod Welsh, re <u>66</u> Second MOTION for Summary Judgment filed by Defendant Rod Welsh, Defendant Greg Abbott (Mackin, Anne) (Entered: 08/18/2017)
08/17/2017	<u>72</u>	RESPONSE in Support, filed by Freedom From Religion Foundation, Inc., re <u>65</u> MOTION for Summary Judgment filed by Plaintiff Freedom From Religion Foundation, Inc. (Bolton, Rich) (Entered: 08/17/2017)
08/11/2017	<u>71</u>	Response in Opposition to Motion, filed by Freedom From Religion Foundation, Inc., re <u>66</u> Second MOTION for Summary Judgment filed by Defendant Rod Welsh, Defendant Greg Abbott (Bolton, Rich) (Entered: 08/11/2017)
08/11/2017	<u>70</u>	ORDER GRANTING <u>68</u> Motion for Extension of Time to File Response/Reply. Signed by Judge Sam Sparks. (jf) (Entered: 08/11/2017)
08/10/2017	<u>69</u>	Response in Opposition to Motion, filed by Greg Abbott, Rod Welsh, re <u>65</u> MOTION for Summary Judgment filed by Plaintiff Freedom From Religion Foundation, Inc. (Mackin, Anne) (Entered: 08/10/2017)
08/09/2017	<u>68</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>66</u> Second MOTION for Summary Judgment , <u>65</u> MOTION for Summary Judgment by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Proposed Order)(Bolton, Rich) (Entered: 08/09/2017)
07/31/2017	<u>67</u>	Transcript filed of Proceedings held on June 6, 2017, Proceedings Transcribed: Motion Hearing. Court Reporter/Transcriber: Lily I. Reznik, Telephone number: 512–391–8792 or Lily_Reznik@txwd.uscourts.gov. Parties are notified of their duty to review the transcript to ensure compliance with the FRCP 5.2(a)/FRCrP 49.1(a). A copy may be purchased from the court reporter or viewed at the clerk's office public terminal. If redaction is necessary, a Notice of Redaction Request must be filed within 21 days. If no such Notice is filed, the transcript will be made available via PACER without redaction after 90 calendar days. The clerk will mail a copy of this notice to parties not electronically noticed Redaction Request due 8/21/2017, Redacted Transcript Deadline set for 8/31/2017, Release of Transcript Restriction set for 10/30/2017, (Reznik, Lily) (Entered: 07/31/2017)
07/27/2017	<u>66</u>	Second MOTION for Summary Judgment by Greg Abbott, Rod Welsh. (Attachments: # <u>1</u> Appendix)(Mackin, Anne) (Entered: 07/27/2017)
07/27/2017	<u>65</u>	MOTION for Summary Judgment by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Appendix to Motion for Summary Judgment)(Bolton, Rich) (Entered: 07/27/2017)

07/12/2017	<u>64</u>	NOTICE <i>Letter Brief</i> by Greg Abbott, John Sneed, Rod Welsh (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Colmenero, Angela) (Entered: 07/12/2017)
06/06/2017	<u>63</u>	ORDER DENYING IN PART Sneed's <u>42</u> Motion to Quash and Motion for Protective Order; GRANTING Plaintiff's <u>48</u> Motion to Extend Scheduling Order Deadlines;DISMISSING as MOOT Plaintiff's <u>43</u> Motion for Extension of Time to File Response; DISMISSING as MOOT Plaintiff's <u>44</u> Corrected Motion for Extension of Time to File Response; DISMISSING as MOOT Plaintiff's <u>56</u> Motion for Extension of Time to File Response. Signed by Judge Sam Sparks. (klw) (Entered: 06/07/2017)
06/06/2017	<u>62</u>	Minute Entry for proceedings held before Judge Sam Sparks: Motion Hearing held on 6/6/2017 re: <u>41</u> Opposed Motion for Protective Order; <u>42</u> Motion to Quash and for Protective Order; <u>43</u> Motion for Extension of Time; <u>44</u> Corrected Motion for Extension of Time; <u>48</u> Opposed Motion to Extend Scheduling Order; <u>49</u> Motion for Judgment on the Pleadings; <u>56</u> Motion for Extension of Time. Statement and arguments heard. Written Order to follow. (Minute entry documents are not available electronically.). (Court Reporter Lily Reznik.)(klw) (Entered: 06/06/2017)
06/03/2017	<u>61</u>	NOTICE of Attorney Appearance by Arthur C. D'Andrea on behalf of Greg Abbott, Rod Welsh. Attorney Arthur C. D'Andrea added to party Greg Abbott(pty:dft), Attorney Arthur C. D'Andrea added to party Rod Welsh(pty:dft) (D'Andrea, Arthur) (Entered: 06/03/2017)
05/26/2017	<u>60</u>	NOTICE <i>Concerning Reference to U.S. Magistrate Judge</i> by Greg Abbott (Mackin, Anne) (Entered: 05/26/2017)
05/22/2017	<u>59</u>	REPLY to Response to Motion, filed by Greg Abbott, re <u>49</u> MOTION for Judgment on the Pleadings filed by Defendant Greg Abbott (Colmenero, Angela) (Entered: 05/22/2017)
05/16/2017		Notice of Correction: re <u>58</u> Brief: Text has been modified to indicate that the filing is a response to the Defendant's motion. The motion link has been added to the text. A document relationship has been created. The correct event type to use for these pleadings is RESPONSE TO MOTION. (klw) (Entered: 05/16/2017)
05/15/2017	<u>58</u>	(RESPONSE) BRIEF to Defendants' <u>48</u> Motion for Judgment on the Pleadings by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Exhibit Drageo Decision)(Bolton, Rich) Modified on 5/16/2017 to clarify text, create relationship link and link response to motion. (klw). (Entered: 05/15/2017)
05/15/2017	<u>57</u>	ORDER setting All Pending Matters Hearing for 6/6/2017 09:00 AM before Judge Sam Sparks. Signed by Judge Sam Sparks. (klw) (Entered: 05/15/2017)
05/12/2017	<u>56</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>49</u> MOTION for Judgment on the Pleadings by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Proposed Order)(Bolton, Rich) (Entered: 05/12/2017)
05/10/2017	<u>55</u>	REPLY in Support, filed by Freedom From Religion Foundation, Inc., re <u>48</u> Opposed MOTION to Extend Scheduling Order Deadlines filed by Plaintiff Freedom From Religion Foundation, Inc. (Bolton, Rich) Modified on 5/11/2017 to modify text (klw). (Entered: 05/10/2017)
05/05/2017	<u>54</u>	RESPONSE to Motion, filed by Greg Abbott, re <u>48</u> Opposed MOTION to Extend Scheduling Order Deadlines filed by Plaintiff Freedom From Religion Foundation, Inc. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Proposed Order)(Mackin, Anne) (Entered: 05/05/2017)
05/03/2017		Notice of Correction: re <u>52</u> Reply to Response to Motion, <u>53</u> Reply to Response to Motion. Clerk notes both entries have been modified to link the Replies to the correct document. Filers incorrectly filed Reply to the "Motion for Leave to File" (dkt <u>45</u>) instead of the "Motion to Quash" (dkt <u>42</u>). (klw) Modified on 5/3/2017 (klw). (Entered: 05/03/2017)
05/02/2017	<u>53</u>	REPLY to Response to Motion, filed by John Sneed, re <u>51</u> Response in Opposition to Defendants' <u>42</u> Motion to Quash (Attachments: # <u>1</u> Exhibit A)(Mackin, Anne) Modified on 5/3/2017 to correct text and document relationship (klw). (Entered: 05/02/2017)

05/01/2017	<u>52</u>	REPLY to Freedom from Religion Foundation, Inc's <u>51</u> Response in Opposition to Defendants' <u>42</u> Motion to Quash, filed by Greg Abbott (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Colmenero, Angela) Modified on 5/2/2017 to correct text (klw). (Entered: 05/01/2017)
05/01/2017	<u>51</u>	Response in Opposition to Motion, filed by Freedom From Religion Foundation, Inc., to Defendants' <u>42</u> MOTION to Quash <i>and Motion for Protective Order</i> and <u>41</u> Opposed MOTION for Protective Order. (klw) (Entered: 05/01/2017)
05/01/2017	<u>50</u>	ORDER GRANTING Freedom From Religion Foundation, Inc' <u>45</u> Motion for Leave to File Excess Pages in filing their Plaintiff's Combined Brief in Opposition of Defendants' to Motions for Protective Order. Signed by Judge Sam Sparks. (klw) (Entered: 05/01/2017)
04/28/2017	<u>49</u>	MOTION for Judgment on the Pleadings by Greg Abbott. (Attachments: # <u>1</u> Proposed Order)(Colmenero, Angela) (Entered: 04/28/2017)
04/28/2017	<u>48</u>	Opposed MOTION to Extend Scheduling Order Deadlines by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Proposed Order)(Byrne, Daniel) (Entered: 04/28/2017)
04/28/2017	<u>47</u>	ATTACHMENT <i>Proposed Order</i> to <u>45</u> MOTION for Leave to Exceed Page Limitation by Freedom From Religion Foundation, Inc.. (Bolton, Rich) (Entered: 04/28/2017)
04/28/2017	<u>46</u>	DEFICIENCY NOTICE to Rich Bolton: re <u>45</u> MOTION for Leave to Exceed Page Limitation. Proposed Orders are Required when a non-dispositive Motion is filed. DO NOT RE-FILE the entire document. Please, file ONLY the Proposed Order. Use the "ATTACHMENT" event from the menu and LINK the Proposed Order to your Motion. In the Docket Text, type "(Proposed Order)". (klw) (Entered: 04/28/2017)
04/27/2017	<u>45</u>	MOTION for Leave to Exceed Page Limitation by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Brief Plaintiff's Combined Brief In Opposition to Motion for Protective Orders, # <u>2</u> Affidavit Declaration of Richard L. Bolton, # <u>3</u> Exhibit Exhibit 1 to Declaration of Richard Bolton, # <u>4</u> Exhibit Exhibit 2 to Declaration of Richard Bolton, # <u>5</u> Exhibit Exhibit 3 to Declaration of Richard Bolton, # <u>6</u> Exhibit Exhibit 4 to Declaration of Richard Bolton, # <u>7</u> Exhibit Exhibit 5 to Declaration of Richard Bolton, # <u>8</u> Exhibit Exhibit 6 to Declaration of Richard Bolton, # <u>9</u> Exhibit Exhibit 7 to Declaration of Richard Bolton, # <u>10</u> Exhibit Exhibit 8 to Declaration of Richard Bolton, # <u>11</u> Exhibit Exhibit 9 to Declaration of Richard Bolton, # <u>12</u> Exhibit Exhibit 10 to Declaration of Richard Bolton)(Bolton, Rich) (Entered: 04/27/2017)
04/24/2017	<u>44</u>	CORRECTED MOTION for Extension of Time to File Response/Reply as to <u>41</u> Opposed MOTION for Protective Order , <u>43</u> Unopposed MOTION for Extension of Time to File Response/Reply as to <u>41</u> Opposed MOTION for Protective Order by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Proposed Order)(Byrne, Daniel) (Entered: 04/24/2017)
04/24/2017	<u>43</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>41</u> Opposed MOTION for Protective Order by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Proposed Order)(Byrne, Daniel) (Entered: 04/24/2017)
04/20/2017	<u>42</u>	MOTION to Quash <i>and Motion for Protective Order</i> by John Sneed. (Attachments: # <u>1</u> Exhibit A Sneed Subpoena, # <u>2</u> Exhibit B Davis Depo Notice, # <u>3</u> Exhibit C Bolton email, # <u>4</u> Proposed Order)(Mackin, Anne). Added MOTION for Protective Order on 4/20/2017 (klw). (Entered: 04/20/2017)
04/17/2017	<u>41</u>	Opposed MOTION for Protective Order by Greg Abbott. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Proposed Order Granting Motion)(Colmenero, Angela) (Entered: 04/17/2017)
02/27/2017	<u>40</u>	ADR Report Filed – <i>Joint ADR Report</i> by Greg Abbott, John Sneed(Mackin, Anne) (Entered: 02/27/2017)
12/28/2016	<u>39</u>	SCHEDULING ORDER: Consent to Trial by Magistrate due by 5/26/2017; Docket Call set for 9/28/2018 at 11:00 AM before Judge Sam Sparks; ADR Report Deadline

		due by 2/27/2017; Amended Pleadings and Joinder of Parties due by 4/27/2017; Discovery due by 5/26/2017; Motions due by 7/27/2017. Signed by Judge Sam Sparks. (jf) (Entered: 12/28/2016)
12/20/2016	<u>38</u>	ORDER GRANTING IN PART AND DENYING IN PART Defendants' <u>31</u> Motion for Summary Judgment; DENYING Plaintiff's <u>33</u> Motion for Summary Judgment. Signed by Judge Sam Sparks. (klw) (Entered: 12/20/2016)
11/23/2016	<u>37</u>	NOTICE of Recent Supplemental Authority by Freedom From Religion Foundation, Inc. re <u>33</u> MOTION for Summary Judgment, <u>35</u> Response in Opposition to Motion,, (Attachments: # <u>1</u> Exhibit A – Draego Decision)(Bolton, Rich) (Entered: 11/23/2016)
09/19/2016	<u>36</u>	Memorandum in Opposition to Motion, filed by Greg Abbott, John Sneed, re <u>33</u> MOTION for Summary Judgment filed by Plaintiff Freedom From Religion Foundation, Inc. (Mackin, Anne) (Entered: 09/19/2016)
09/19/2016	<u>35</u>	Response in Opposition to Motion, filed by Freedom From Religion Foundation, Inc., re <u>31</u> MOTION for Summary Judgment filed by Defendant John Sneed, Defendant Greg Abbott (Attachments: # <u>1</u> Affidavit Declaration of Richard L. Bolton, # <u>2</u> Exhibit 1 – to Declaration for Richard L. Bolton, # <u>3</u> Exhibit 2 – to Declaration for Richard L. Bolton, # <u>4</u> Exhibit 3 – to Declaration for Richard L. Bolton, # <u>5</u> Exhibit 4 – to Declaration for Richard L. Bolton, # <u>6</u> Exhibit 5 – to Declaration for Richard L. Bolton)(Bolton, Rich) (Entered: 09/19/2016)
09/16/2016	<u>34</u>	NOTICE Attorney Vacation Letter by Greg Abbott, John Sneed (Mackin, Anne) (Entered: 09/16/2016)
08/24/2016	<u>33</u>	MOTION for Summary Judgment by Freedom From Religion Foundation, Inc. (Attachments: # <u>1</u> Declaration of Sam Grover, # <u>2</u> Exhibits, # <u>3</u> Exhibits)(klw) (Entered: 08/25/2016)
08/24/2016	<u>32</u>	ORDER GRANTING Plaintiff's <u>30</u> Motion for Leave to File Excess Pages in filing their Motion for Summary Judgment. Signed by Judge Sam Sparks. (klw) (Entered: 08/25/2016)
08/19/2016	<u>31</u>	MOTION for Summary Judgment by Greg Abbott, John Sneed. (Attachments: # <u>1</u> Appendix Part 1, # <u>2</u> Appendix Part 2)(Mackin, Anne) (Entered: 08/19/2016)
08/19/2016	<u>30</u>	Unopposed MOTION for Leave to Exceed Page Limitation <i>Plaintiff's Motion for Summary Judgment and Supporting Brief</i> by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Brief Plaintiff's Motion for Summary Judgment and Supporting Brief, # <u>2</u> Affidavit Declaration of Sam Grover, # <u>3</u> Exhibit Exhibits to Declaration of Sam Grover Part 1 of 2, # <u>4</u> Exhibit Exhibits to Declaration of Sam Grover Part 2 of 2, # <u>5</u> Proposed Order Proposed Order Granting Motion for Exceed Page Limit)(Bolton, Rich) (Entered: 08/19/2016)
07/05/2016	<u>29</u>	ANSWER to <u>15</u> Amended Complaint by Greg Abbott, John Sneed.(Mackin, Anne) (Entered: 07/05/2016)
06/21/2016	<u>28</u>	ORDER GRANTING IN PART AND DENYING IN PART Defendants' <u>17</u> Motion to Dismiss for Failure to State a Claim. GRANTED IN PART as to Plaintiff's <i>individual capacity</i> claims against Defendant John Sneed, who is protected by qualified immunity, and DENIED IN PART as to Plaintiff's claims against Defendant Greg Abbott. ORDER that each party shall have until 08/19/16 to file a motion for summary judgment and thereafter until 09/19/16 to respond to the opposing party's motion for summary judgment. Signed by Judge Sam Sparks. (klw) (Entered: 06/21/2016)
06/20/2016	<u>27</u>	Minute Entry for proceedings held before Judge Sam Sparks: Motion Hearing held on 6/20/2016 re <u>17</u> Motion to Dismiss for Failure to State a Claim <i>Plaintiff's First Amended Complaint</i> filed by John Sneed, Greg Abbott. Written Order forthcoming. (Minute entry documents are not available electronically.). (Court Reporter Lily Reznik.)(klw) (Entered: 06/20/2016)
06/17/2016	<u>26</u>	NON-CONSENT to Trial by US Magistrate Judge by Freedom From Religion Foundation, Inc.. (Byrne, Daniel) (Entered: 06/17/2016)
06/16/2016	<u>25</u>	NON-CONSENT to Trial by US Magistrate Judge by Greg Abbott, John Sneed. (Mackin, Anne) (Main Document 25 replaced on 6/17/2016) (klw). (Entered: 06/16/2016)

		06/16/2016)
06/16/2016	<u>24</u>	Proposed Pretrial Order <i>Scheduling Order</i> by Greg Abbott, John Sneed. (Mackin, Anne) (Main Document 24 replaced on 6/17/2016) (klw). (Entered: 06/16/2016)
06/13/2016	<u>23</u>	ORDER Setting Hearing on <u>17</u> Motion to Dismiss for Failure to State a Claim <i>Plaintiff's First Amended Complaint</i> : Motion Hearing set for 6/20/2016 02:00 PM before Judge Sam Sparks. Signed by Judge Sam Sparks. (ml) (Entered: 06/13/2016)
06/10/2016	<u>22</u>	Scheduling Recommendations <i>Proposed Joint Discovery Control Plan</i> by Greg Abbott, John Sneed. (Mackin, Anne) (Entered: 06/10/2016)
06/03/2016	<u>21</u>	ORDER GRANTING Defendants' Unopposed <u>20</u> Motion for Extension of Time to File Reply in Support of their Motion to Dismiss Plaintiff's First Amended Complaint in the above-captioned cause is now June 22, 2016. The Court further ORDERS that, if necessary, Defendants may exceed the 10-page limit on that Reply by up to nine pages, for a total not to exceed 19 pages. Signed by Judge Sam Sparks. (klw) (Entered: 06/03/2016)
06/02/2016	<u>20</u>	MOTION for Extension of Time to File Response/Reply as to <u>19</u> Response in Opposition to Motion <i>to Dismiss</i> by Greg Abbott, John Sneed. (Attachments: # <u>1</u> Proposed Order)(Mackin, Anne) (Entered: 06/02/2016)
06/01/2016	<u>19</u>	Plaintiff's Response in Opposition to Sneed and Abbott's <u>17</u> Motion to Dismiss <i>Plaintiff's First Amended Complaint</i> for Failure to State a Claim.(klw) (Entered: 06/01/2016)
06/01/2016		Text Order GRANTING <u>18</u> Motion for Leave to File Excess Pages entered by Judge Sam Sparks. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ldm) (Entered: 06/01/2016)
05/31/2016	<u>18</u>	Unopposed MOTION for Leave to Exceed Page Limitation <i>for Plaintiff's Brief Opposing Motion to Dismiss</i> by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Brief Plaintiff's Brief Opposing Motion to Dismiss, # <u>2</u> Proposed Order)(Bolton, Rich) (Entered: 05/31/2016)
05/13/2016	<u>17</u>	Motion to Dismiss for Failure to State a Claim <i>Plaintiff's First Amended Complaint</i> by Greg Abbott, John Sneed. (Attachments: # <u>1</u> Proposed Order)(Mackin, Anne) (Entered: 05/13/2016)
05/10/2016	<u>16</u>	Order for Scheduling Recommendations/Proposed Scheduling Order due by 6/17/2016. Signed by Judge Sam Sparks. (klw) (Entered: 05/10/2016)
05/03/2016	<u>15</u>	FIRST AMENDED COMPLAINT against Greg Abbott, John Sneed amending <u>1</u> Complaint, filed by Freedom From Religion Foundation, Inc.(ml) (Entered: 05/04/2016)
05/03/2016	<u>14</u>	ORDER DISMISSING <u>10</u> Motion to Dismiss for Lack of Jurisdiction ; GRANTING <u>13</u> Motion for Leave to File First Amended Complaint. Signed by Judge Sam Sparks. (ml) (Entered: 05/04/2016)
04/29/2016	<u>13</u>	Unopposed MOTION for Leave to File First Amended Complaint by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Proposed Order)(Byrne, Daniel) (Entered: 04/29/2016)
04/07/2016	<u>12</u>	ORDER GRANTING Plaintiff's Unopposed <u>11</u> Motion for Extension of Time to File Response to Defendants' <u>10</u> Motion to Dismiss. Response is due 04/29/16. Signed by Judge Sam Sparks. (klw) (Entered: 04/08/2016)
04/06/2016	<u>11</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>10</u> MOTION to Dismiss for Lack of Jurisdiction <i>and Failure to State a Claim</i> by Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Proposed Order)(Byrne, Daniel) (Entered: 04/06/2016)
04/01/2016	<u>10</u>	MOTION to Dismiss for Lack of Jurisdiction <i>and Failure to State a Claim</i> by Greg Abbott, John Sneed. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Proposed Order)(Mackin, Anne) (Entered: 04/01/2016)

03/14/2016	<u>9</u>	ORDER GRANTING <u>7</u> Motion for Extension of Time to Answer ; Greg Abbott answer due 4/1/2016; John Sneed answer due 4/1/2016. Signed by Judge Sam Sparks. (ml) (Entered: 03/14/2016)
03/10/2016	<u>8</u>	NOTICE of Attorney Appearance by Rich Bolton on behalf of Freedom From Religion Foundation, Inc.. Attorney Rich Bolton added to party Freedom From Religion Foundation, Inc.(pty:pla) (Bolton, Rich) (Entered: 03/10/2016)
03/08/2016	<u>7</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint by Greg Abbott, John Sneed. (Attachments: # <u>1</u> Proposed Order)(Mackin, Anne) (Entered: 03/08/2016)
03/08/2016	<u>6</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint by Greg Abbott, John Sneed. (Mackin, Anne) (Entered: 03/08/2016)
03/01/2016	<u>5</u>	SUMMONS Returned Executed by Freedom From Religion Foundation, Inc.. All Defendants. (Byrne, Daniel) (Entered: 03/01/2016)
02/25/2016	<u>4</u>	Letter to Patrick Elliot, Richard Bolton and Sam Grover re: non admittance into the Western District of Texas. (so) (Entered: 02/25/2016)
02/25/2016	<u>3</u>	Summons Issued as to Greg Abbott and John Sneed. (so) (Entered: 02/25/2016)
02/25/2016		Case Assigned to Judge Sam Sparks. CM WILL NOW REFLECT THE JUDGE INITIALS AS PART OF THE CASE NUMBER. PLEASE APPEND THESE JUDGE INITIALS TO THE CASE NUMBER ON EACH DOCUMENT THAT YOU FILE IN THIS CASE. (so) (Entered: 02/25/2016)
02/25/2016	<u>2</u>	REQUEST FOR ISSUANCE OF SUMMONS by Daniel H Freedom From Religion Foundation, Inc.. (Byrne, Daniel) (Entered: 02/25/2016)
02/25/2016	<u>1</u>	COMPLAINT (Filing fee \$ 400 receipt number 0542-8233715), filed by Daniel H Freedom From Religion Foundation, Inc.. (Attachments: # <u>1</u> Civil Cover Sheet)(Byrne, Daniel) (Entered: 02/25/2016)